

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

IN RE:

Breanna Marie Reeves,

Debtor,

Larry Carpenter

Case No: 18-71836-FJS

Petitioner,

v.

Breanna Marie Reeves,

Respondent.

NOTICE

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one)

If you do not wish the Court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then within 14 days from the date of service of this motion, you must file a written response explaining your position with the Court and serve a copy on the movant. Unless a written response is filed and served within this 14-day period, the Court may deem opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing.

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the expiration of the 14-day period.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may entered an order granting the relief.

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Norfolk, Virginia 23541-0639
(757) 461-5555 telephone
Counsel for Larry Carpenter

MOTION FOR RELIEF FROM STAY

The petitioner respectfully represents as follows:

1. That the petitioner is a resident of the Commonwealth of Virginia.
2. That this Court has jurisdiction pursuant to 28 U.S.C. §1334 and 11 U.S.C. §362.

This is a core proceeding pursuant to 28 U.S.C. §157.

3. Clara P. Swanson, Esq. was appointed Trustee of the property of the debtor and is qualified now and acting as Trustee. The filing of said Petition acts as a stay against collection proceedings by petitioner against respondent pursuant to 11 U.S.C. §362.

4. Petitioner suffered personal injuries on November 18, 2016, when the motor vehicle which he was operating was struck by a motor vehicle operated by the respondent.

5. That petitioner has made a claim and filed suit in the Portsmouth General District Court against the respondent for the personal injuries and damages caused by the respondent in the amount of \$25,000.00. The respondent is covered under a policy for insurance coverage with GEICO General Insurance Company in the amount of \$25,000.00.

6. Cause exists to terminate the stay aforesaid.

7. Petitioner is being injured in his inability to proceed against the debtor due to the automatic stay provided for in 11 U.S.C. §362.

8. Notice is hereby given that the parties have fifteen (15) days from the date of service of this Motion to file a response with the United States Bankruptcy Court for the Eastern District of Virginia, with a copy of such response to the movant.


9. Notice is also hereby given to GEICO General Insurance Company by certified mail to its registered agent that it has a right to intervene in this proceeding.

WHEREFORE, the petitioner moves that the automatic stay provided for by the provisions of Title 11 of the United States Code be modified in conformance therewith and that he be granted such other and further relief as this Court shall deem proper.

Dated at Norfolk, Virginia, this 4th day of June, 2018.

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Counsel for Larry Carpenter

LARRY CARPENTER

By:  /s/ _____
Lowell A. Stanley, Esq.

CERTIFICATE OF SERVICE


I hereby certify a true copy of the foregoing Motion was mailed by first class mail, to the following:

Lorin D. Hay, Esq.
Boleman Law Offices
Convergence Center III
272 Bendix Road, Suite 330
Virginia Beach, VA 23452

Clara P. Swanson, Esq.
708 Thimble Shoals Boulevard, Suite 1
Newport News, VA 23606

on this 4th day of June, 2018.

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 /s/ _____
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